HON'BLE SRI JUSTICE D.S.R.VARMA
AND
HON'BLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.16928 OF 2006

Between:

Dr. P. Subba Reddy, Professor of Forensic Medicine, S.V. Medical College, Tirupathi, Chittoor District.

…Petitioner

AND

1. The Superintendent, S.V.V.R, Hospital, Tirupathi, Chittoor District, and seven others.

….Respondents

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HON'BLE SRI JUSTICE D.S.R.VARMA

AND

HON'BLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.16928 OF 2006

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.VARMA)**

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a petition, dated 22.7.2006, addressed to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, by Dr. P. Subba Reddy, Professor of Forensic Medicine, S.V. Medical College, Tirupathi, Chittoor District.

3. The complaint of the petitioner is that the Doctors working in S.V.R.R. Hospital, Tirupathi, have been sending dead bodies for preservation, after marking them as Medico legal cases, to the cold storage plant. Five bodies lying since April 2006 remained unattended to. He made representation also to the Superintendent and Civil Surgeon, Residential Medical Officer of SVRR Hospital, Tirupathi, and Sub Inspector of Police, Alipiri, but no action has been taken so far. The unclaimed decomposed bodies are posing a threat to the health of the staff. It is his further complaint that some of the dead bodies were sent by the Casualty Medical Officer of S.V.R.R. Hospital, Tirupathi, without marking them as medico legal cases in spite of injuries/wounds on the dead body were disposed off by the Superintendent and Civil Surgeon, Residential Medical Officer of SVRR Hospital, Tirupathi, and, in some cases, the deceased who were neither victims nor offenders, their bodies are retained by the doctors of SVRR Hospital after marking them as medico legal cases. Hence, it is requested to issue directions to the Superintendent, S.V.R.R. Hospital, Tirupathi, and Sub Inspector of Police, Alipiri Police Station, Tirupathi, to dispose off the above said dead bodies in the interest of justice.

4. On notice being issued, the Sub Inspector of Police, Alipiri Police Station, Chittoor District, filed a counter-affidavit, *inter alia*,

stating that they did not receive the death intimations from the hospitals. In one case, since the deceased hails form Kodur, Kadapa District, the intimation was sent to Kodur Police through the father of the deceased girl on the same day by Outpost Police of SVRR Government General Hospital, Tirupathi. It is further stated that in another case no intimation was received either by Outpost Police of SVRR Government General Hospital, Tirupathi, or Alipiri Police about the death of one Mani of Tamilnadu, who was admitted in Ward No.6, on 30.4.2006, and died on 27.6.2006. On verification of case sheet, it is ascertained that the deceased had received injuries in the Railway Station, Tirupathi, and a copy of intimation was obtained from Resident of Medical Officer on 2.8.2006 and sent to the Sub Inspector, Government Railway Police, Tirupathi, who had registered the same as Cr.No.54/2006 for the offence punishable under Section 174 Cr.P.C., and got the dead body disposed off after observing the legal formalities during the investigation. It is further stated that the intimations received by the outpost police of SVRR Government General Hospital, Tirupathi, were sent to the police stations concerned in the District or other Districts, as per the address furnished thereon, for taking further action. It is denied that the petitioner ever made any representations to the Police in this regard. Some particulars of the dead bodies of the persons, which were disposed off by the police, have been given in detail in the counter affidavit. It is further stated that, as and when the reports have been received by the police, action is being taken promptly in disposing off the dead bodies.

5. Another important aspect to be noticed is that the petitioner, being an employee i.e., Doctor of the Hospital, ought to have represented to the Superintendent of the Hospital along with other colleague Doctors instead of making such complaints against the Superintendent of the Hospital.

6. How far this sort of making a complaint against the Superintendent of the Hospital, S.V.R.R. Hospital, Tirupathi, by the Doctor of same Hospital, by way of present letter to the Hon'ble the Chief Justice is justifiable, is yet another thing, which bothers this Court.

7. Having regard to the facts and circumstances of the case, we see no grounds to interfere with the matter and the Writ Petition

is liable to be closed.

8. Accordingly, the Writ Petition is closed. No order as to costs.

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D.S.R.VARMA, J

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P. SWAROOP REDDY, J

Dated: 28.08.2006

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